

## CHECKLIST ENVIRONMENTAL ASSESSMENT

<b>Project Name:</b>	<b>Improvement Request for Fence in Tenderfoot</b>
<b>Proposed Implementation Date:</b>	<b>Summer/Fall 2020</b>
<b>Proponent:</b>	<b>DNRC Grazing Lessee, Zehntner Bros LLC and USFS (United States Forest Service, Belt Creek - White Sulphur Springs Ranger District)</b>
<b>Location:</b>	<b>T14N-R5E Sections 30, 31 &amp; 32</b>
<b>County:</b>	<b>Meagher</b>

### I. TYPE AND PURPOSE OF ACTION

The USFS and the DNRC Grazing Lessee, Zehntner Bros LLC, have submitted a proposal to place an improvement on Montana State Trust Land, grazing lease number 9869 located in T14N-R5E Sections 30, 31 & 32. These State Land tracts are completely surrounded by USFS lands, called the "Bald Hills Grazing Allotment". The portion of the improvements located on State Trust Land would include building approximately 1000' of new fence located on the boundary between Sections 30 & 31, approximately 4000 feet of new fence on the eastern boundary of the State Trust Land in Section 30, and approximately 1320 feet of fence and a gate along the western boundary of the state land in section 30. Please see attached map. Fences in red on the map are proposed fences along the State Land boundaries of Section 30. An additional cross fence not indicated on the map would begin the northeast corner of section 31, from the "fence to be replaced" and would continue west to the existing "fence" near the road. This cross fence would split the State land into two separate pastures for improved management capabilities.

The USFS has received a grant to construct new fence and install livestock watering sites throughout this grazing allotment. These proposed fences on the State Trust Land would work well with the proposed infrastructure and existing fences for improved livestock grazing distribution and rotational grazing across State Trust and USFS lands. This infrastructure would encourage better grazing distribution in smaller pastures, keep cattle out of riparian areas and improve management opportunities on the USFS lands and DNRC Trust Lands. The USFS obtained grant funding to pay for the materials and installation of the fence with the agreement that the Zehntner's would maintain the fence throughout the FS allotment and DNRC Trust Lands.

### II. PROJECT DEVELOPMENT

#### 1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

*Provide a brief chronology of the scoping and ongoing involvement for this project.*

Jay Kolbe, Department of Fish, Wildlife, & Parks Wildlife Biologist  
Patrick Rennie, Department of Natural Resources and Conservation Archaeologist  
Montana Natural Heritage Program

#### 2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

USFS (United States Forest Service, Belt Creek - White Sulphur Springs Ranger District) has complied with NEPA for construction of fence and stockwater tanks on USFS lands.

#### 3. ALTERNATIVES CONSIDERED:

**Alternative A:** No action alternative. The proposed project would not be approved.

**Alternative B:** Action Alternative: Allow the proponent to install and maintain fence.

### III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" if no impacts are identified or the resource is not present.*

#### **4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:**

*Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.*

No fragile, compactable, or unstable soils are present. Construction of the project would entail installing approximately 1000 feet of four strand barbed wire fence. Soil would be disturbed where fence posts are put into the ground and where equipment is needed to operate for installation. Impacts to the soil would be minimal, due to the small scale and short construction time frame of the project on the landscape.

#### **5. WATER QUALITY, QUANTITY AND DISTRIBUTION:**

*Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.*

South Fork Tenderfoot Creek flows through State Trust Lands in T14N-R5E Sections 30, 31 & 32. An unnamed, tributary flows into South Fork Tenderfoot Creek from the east in Section 30. Proposed fence on the eastern boundary of State Trust Land in Section 30 would cross the unnamed tributary. The proposed cross fence which would go along the boundary of Sections 30 and 31 of the State Trust Land would begin at the top of a ridge in the northeast corner of section 31 and continue downhill, approximately along the section line to meet an existing fence on the east side of the road and would not cross any waterways.

Construction for the proposed fence would need to take place through the tributaries and surrounding wet areas. Construction would occur as a short duration, one-time project, which will minimally impact water quality, quantity, and distribution. Any large motorized equipment used for fence installation would not park in flowing water and fence posts would be placed on either side of the tributaries. Any alterations to the waterways for this project would not be permitted. This project construction phase could have minimal effects on water quality, quantity, and distribution.

#### **6. AIR QUALITY:**

*What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.*

Air Quality would not be affected by this project.

#### **7. VEGETATION COVER, QUANTITY AND QUALITY:**

*What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.*

The proposed fences on State Trust Land is in a very productive, high elevation, mountainous region. Montana Natural Heritage classifies the areas as Rocky Mountain Lower Montane, Foothill and Valley Grassland, Big Sagebrush Steppe, Rocky Mountain Subalpine Dry-Mesic Spruce-fir Forest and Woodland, and Rocky Mountain-Foothill Deciduous Shrubland. Plant species present on these sections include Douglas fir, snowberry, woods rose, mountain brome, elk sedge, bluebunch wheatgrass, rough fescue, big sagebrush, western wheatgrass, Oregon grape, spirea and various forbs. Some of the lowlands in Sections 31 and 32 are improved pastures consisting of smooth brome and Kentucky bluegrass. Vegetative communities would not be negatively, significantly affected by this project due to the low amount of disturbance and short construction period. Overall cover, quantity, and quality of vegetative communities would improve with these fences and continued appropriate grazing management. The DNRC grazing lessee would continue to be responsible for weed management as described in the lease agreement.

#### **8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:**

*Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.*

Construction practices used in the placement of the fences would be a one-time short duration occurrence to limit disturbance and will not lead to negative cumulative effects on wildlife.

FWP Biologist Jay Kolbe commented on the proposed project; "I have worked with both the Zehntners' and the USFS for many years on planning and projects that will improve grazing efficiency and impacts in the Tenderfoot. This project appears coordinated with the implementation of that improved system, and I fully support it."

**9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:**

*Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.*

The Montana Natural Resource Information Service (NRIS) was queried for information regarding sensitive or endangered species located in the vicinity of the project area. The query results found one-point observation of Westslope Cutthroat Trout (*Oncorhynchus clarkia lewisi*) in the SWSW of Section 32. The proposed infrastructure would not be installed in or along where South Fork Tenderfoot Creek flows through State Trust Land in Sections 30 and 31.

Query results also found the Wolverine (*Gulo gulo*) have confirmed area of occupancy based on documented observations of adults or juveniles within 10 kilometers of Sections 30, 31 and 32. Westslope Cutthroat Trout (*Oncorhynchus clarkia lewisi*) are also confirmed through direct capture or if the species is believed to inhabit in South Fork Tenderfoot Creek by a fisheries biologist.

This project would not cause direct, indirect, or cumulative effects on these species.

**10. HISTORICAL AND ARCHAEOLOGICAL SITES:**

*Identify and determine effects to historical, archaeological or paleontological resources.*

A Class I (literature review) level review was conducted by the DNRC staff archaeologist for the area of potential effect (APE). This entailed inspection of project maps, DNRC's sites/site leads database, land use records, General Land Office Survey Plats, and control cards. The Class I search revealed that no cultural or paleontological resources have been identified in the APE. Because of the low impact nature of the proposed project, no additional archaeological investigative work will be conducted.

A field inspection by DNRC Land Use Specialist Dylan Craft and Helena Unit Manager Heidi Crum was completed on 6/16/20. No cultural resources were found in the vicinity of the proposed project.

**11. AESTHETICS:**

*Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.*

The project is located in a rural part of Meagher County and will alter aesthetics of the area temporarily during construction and minimally when the project is complete.

**12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:**

*Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.*

No demands for additional environmental resources are required for this project. No cumulative effects to environmental resources should result from this project.

**13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:**

*List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.*

No other studies, plans, or projects were identified during the scoping for this project.

**IV. IMPACTS ON THE HUMAN POPULATION**

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" if no impacts are identified or the resource is not present.*

**14. HUMAN HEALTH AND SAFETY:**

*Identify any health and safety risks posed by the project.*

No health or safety risks are posed by the project.

**15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:**

*Identify how the project would add to or alter these activities.*

If approved, this project is designed to assist the DNRC lessee to improve grazing management on state land.

**16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:**

*Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.*

The project will not create or eliminate permanent jobs in the area.

**17. LOCAL AND STATE TAX BASE AND TAX REVENUES:**

*Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.*

No significant increase in tax revenues are expected as a result of this project.

**18. DEMAND FOR GOVERNMENT SERVICES:**

*Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services.*

No increased demand for government services are expected as a result of this project.

**19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:**

*List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.*

No locally adopted environmental plans will be affected by this project.

**20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:**

*Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.*

This project will not negatively alter recreational activities in the area, walk-in access will remain the same.

**21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:**

*Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.*

No change in population will result from this project.

**22. SOCIAL STRUCTURES AND MORES:**

*Identify potential disruption of native or traditional lifestyles or communities.*

No change in social structures and mores are expected as a result of this project.

**23. CULTURAL UNIQUENESS AND DIVERSITY:**

*How would the action affect any unique quality of the area?*

The action would not affect the unique quality of the area.

**24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:**

*Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.*

The grazing lease generates approximately \$2936 in grazing fees annually for Common Schools.

**EA Checklist  
Prepared By:**

**Name:** Heidi Crum  
**Title:** Helena Unit Manager

**Date:** 1/27/21

## V. FINDING

### 25. ALTERNATIVE SELECTED:

**Alternative B:** Action Alternative: allow the proponent to install and maintain fences.

### 26. SIGNIFICANCE OF POTENTIAL IMPACTS:

As proposed, no direct, indirect or cumulative effects from the implementation of the selected alternative, the installation of fence on State Trust land, are anticipated. Installation of the fence will help the lessee improve grazing management on State Trust land.

### 27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

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EIS

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More Detailed EA

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No Further Analysis

**EA Checklist  
Approved By:**

**Name:**

Andy Burgoyne

**Title:**

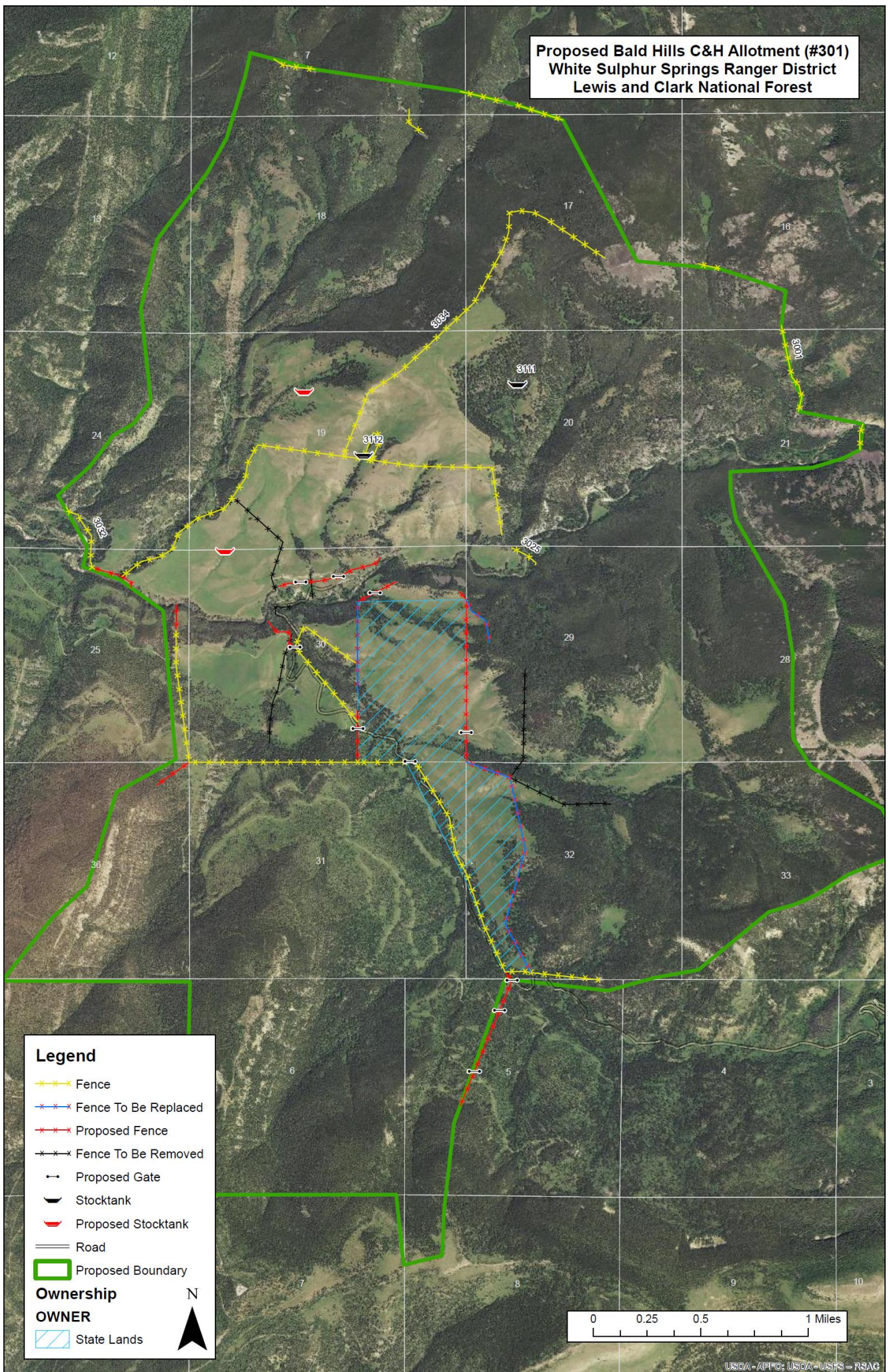
Trust Land Program Manager, Central Land Office

**Signature:**



**Date:** 1/28/2021

**Proposed Bald Hills C&H Allotment (#301)  
White Sulphur Springs Ranger District  
Lewis and Clark National Forest**



**Legend**

- x--- Fence
- x--- Fence To Be Replaced
- x--- Proposed Fence
- x--- Fence To Be Removed
- Proposed Gate
- Stocktank
- Proposed Stocktank
- Road
- Proposed Boundary

**Ownership**

**OWNER**

- State Lands

